IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1988 OF 2007

Sahyadri Starch & Industries Pvt.Ltd. ....Petitioner
V/s.
The Agricultural Produce Market Committee Sangli & Ors. ....Respondents

Mr.R.S. Apte with Mr.A.A. Garge for the Petitioner.
Mr.M.L. Patil for Respondent Nos.1 and 2.
Mr.A.A. Palekar, AGP for Respondent Nos.3 to 6.

CORAM : F.I. REBELLO &
R.M. SAVANT, JJ.
DATED : 23RD APRIL, 2007.

P.C. :

1. The Contention of the Petitioner is that pursuant to the provisions of the Act, they had preferred an appeal. They had moved under Section 52(b) of the APMC Act, the Joint Director. The Joint Director by order dated 19.9.2006 has held in their favour.

2. The Contention of the Respondents is that the said order is ex-facie illegal and null and void and in these circumstances the Respondents did not give effect of the said order.

3. Once quasi judicial authority has passed an

order, any party aggrieved has a remedy to challenge the same and the APMC cannot refuse to comply with the said order on the ground that it is nullity. That can only be decided by competent Court or Authority. In the light of that, the Writ Petition is disposed of by issuing the following directions :-

i). The APMC if aggrieved by the order dated 19.9.2006, to challenge the same not later than eight weeks from today. In the meantime, the Petitioner to supply necessary information to the APMC of the purchases made in the market area.

ii). In the meantime not to take any coercive steps. This would be subject to any order passed by this Court in the Petition that could be filed by Respondent No.1 APMC.

4. With the aforesaid directions, the Writ Petition is accordingly disposed of.

(R.M. SAVANT, J.) (F.I. REBELLO, J.)